

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA,

CASE NO: 24-CR-20295-JB

Plaintiff,

vs.

BRYAN TOCHON-LOPEZ,
WILMER MOISES BARSELO,
JOSE FELICIANO LEMOS,
JESUS RODRIGUEZ,
LUIS ANDRES ZUNIAGA,
JORGE LUIS LOPEZ-ASTUDILLO,
EULIDES OLIVEROS-LUGO,
STIVEN JOSE FLORES

Defendants.

UNOPPOSED JOINT MOTION FOR CONTINUANCE OF TRIAL

Defendants, **BRAYAN TOCHON-LOPEZ, WILMER MOISES BARSELO, JOSE FELICIANO LEMOS, JESUS RODRIGUEZ, LUIS ANDRES ZUNIAGA, JORGE LUIS LOPEZ-ASTUDILLO, EULIDES OLIVEROS-LUGO, and STIVEN JOSE FLORES**, by and through their counsel, and in accordance with *18 U.S.C. §3161(h)(7)* and *S.D. Fla. L.R. 7.6*, hereby file this Unopposed Joint Motion for Continuance of the currently set trial date. As grounds in support of this request, the Defendants state:

1. On or about June 26, 2024, the Defendants were arrested after being intercepted upon the high seas and elsewhere outside the jurisdiction of any particular State or district.
2. On July 11th, 2024, the Government filed an indictment charging the Defendants with Conspiracy to Possess with Intent to Distribute a Controlled Substance While On Board a Vessel



Subject to the Jurisdiction of the United States (Count 1) and Possession with Intent to Distribute a Controlled Substance While On Board a Vessel Subject to the Jurisdiction of the United States.

3. On July 22nd, 2024, the Defendants were arraigned in this matter [DE 15, 16, 17, 18, 19, 20, 21, 22].

4. On or about July 22, 2024, the Government provided discovery to Defendants.

5. On February 12, 2025, Defendants filed their Joint Motion to Dismiss. [DE 71]. On or about February 26th, 2025 the Government filed its Response to the Defendants' Joint Motion to Dismiss. [DE 77]. On or about March 5th, 2025 the Defendants filed their Reply to the Government's Response. [DE 82].

6. On or about February 25th, 2025 this Honorable Court referred the Defendants' Joint Motion to Dismiss to the Honorable Magistrate Edwin G. Torres. [DE 76]. On or about April 4th, 2025, Magistrate Torres entered a Report and Recommendation recommending that the Defendants' Joint Motion to Dismiss be denied. [DE 86]. On April 18th, the Defendants filed Joint Objections to the Report and Recommendation filed by Magistrate Torres. [DE 89]. The Government has until April 28th, 2025 to file its Response to the Defendants' Objections. Thereafter, the Defendants would have until May 8th, 2025 to file their Reply to the Government's Response.

7. A jury trial on this matter is currently set for the 2 week period commencing May 5th, 2025, with a Calendar Call scheduled for April 29th, 2025.

8. Accordingly, Defendants request a continuance of the trial date until after the Defendants' Joint Motion to Dismiss and their Objections to the Magistrate's Report and Recommendation has been finally disposed of.



9. This Motion is being filed in good faith, in the interests of judicial economy to afford the Parties proper opportunity to resolve this matter without the need for a trial, and in furtherance of providing Defendants effective assistance of counsel. This Motion is not being filed for purposes of undue delay.

CERTIFICATE OF CONFERRAL PURSUANT TO LOCAL RULE 88.9

On April 17th, 2025, the undersigned conferred with AUSA Yvonne Rodriguez-Shack who advised that the Government does not object to the Court granting this Motion for Continuance. Additionally, after conferral with counsel for the codefendants, the codefendants join in the motion.

WHEREFORE, Defendants, **BRAYAN TOCHON-LOPEZ, WILMER MOISES BARSELO, JOSE FELICIANO LEMOS, JESUS RODRIGUEZ, LUIS ANDRES ZUNIAGA, JORGE LUIS LOPEZ-ASTUDILLO, EULIDES OLIVEROS-LUGO**, and **STIVEN JOSE FLORES**, respectfully pray that this Honorable Court grant the Defendants' Joint Motion for Continuance of trial, enter an Order continuing this case to, at least, a date in June 2025, so that the Defendants' Joint Motion to Dismiss and their Objections to the Magistrate's Report and Recommendation are finally disposed of, and for any other relief the Court deems proper and just under the circumstances.

Respectfully submitted,



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<p>SEITLES & LITWIN, P.A. <i>Attorney for Wilmer Moises Barselo</i></p> <p>BY: <u>/s/ Marc David Seitles</u> Marc David Seitles Florida Bar No. 178284 Courthouse Center 40 N.W. 3rd Street Penthouse One Miami, Florida 33128 Tel: (305) 403-8070 Fax: (305) 403-8210 Email: mseitles@seitleslaw.com</p>	<p>DONET, MCMILLAN & TRONTZ, PA <i>Attorney for Jose Feliciano Lemos</i></p> <p>BY: <u>/s/David Antonio Donet, Jr.</u> David Antonio Donet, Jr. Florida Bar No.: 128910 3250 Mary Street, Suite 406 Coconut Grove, Florida 33133 Tel: (305) 444-0030 Fax: (305) 444-0039 Email: donet@dmtdlaw.com</p>
<p>ROGER CABRERA, PA <i>Attorney for Jesus Rodriguez</i></p> <p>BY: <u>/s/Roger DE Jesus Cabrera</u> Roger DE Jesus Cabrera Florida Bar No.: 148740 333 SE 2nd Avenue, Suite 2000 Miami, Florida 33131 Tel: (305) 823-8383 Fax: (305) 675-7970 Email: Roger@Cabrera.legal</p>	<p>LAW OFFICES OF JOSEPH A. CHAMBROT <i>Attorney for Luis Andres Zuniaga</i></p> <p>BY: <u>/s/Joseph Abraham Chambrot</u> Joseph Abraham Chambrot Florida Bar No.: 434566 1885 NW North River Drive Miami, Florida 33125 Tel: (305) 547-2101 Fax: (305) 547-2107 Email: joseph@chambrotlaw.com</p>



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the above and foregoing was electronically filed via CM/ECF this 21st day of April 2025, and a courtesy copy of the foregoing furnished via email to all counsel of record.

Respectfully submitted,

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